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APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/600,553		06/20/2003	Robert E. Stewart	LIT-132/000098-199	6032
32205	7590	07/16/2004		EXAMINER	
PATTI & E			FASTOVSKY, LEONID M		
ONE NORTH LASALLE STREET 44TH FLOOR				ART UNIT	PAPER NUMBER
CHICAGO, IL 60602				3742	****
				DATE MAILED: 07/16/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
Office Action Comments	10/600,553	STEWART, ROBERT E.					
Office Action Summary	Examiner	Art Unit					
	Leonid M Fastovsky	3742					
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	16(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) days fill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE!	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).					
Status							
1) Responsive to communication(s) filed on 24 Ma	ay 2004.						
2a) This action is FINAL . 2b) This	This action is FINAL . 2b) This action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	33 O.G. 213.					
Disposition of Claims							
4)⊠ Claim(s) <u>1-20</u> is/are pending in the application.							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6) Claim(s) is/are rejected.	•						
7) Claim(s) is/are objected to.							
8) Claim(s) <u>1-20</u> are subject to restriction and/or e	lection requirement.						
Application Papers							
9) The specification is objected to by the Examiner							
10) The drawing(s) filed on is/are: a) acce	D) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.						
Applicant may not request that any objection to the c	frawing(s) be held in abeyance. See	: 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correction	on is required if the drawing(s) is obj	ected to. See 37 CFR 1.121(d).					
11)☐ The oath or declaration is objected to by the Exa	aminer. Note the attached Office	Action or form PTO-152.					
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign pa) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priori application from the International Bureau	have been received. have been received in Application ty documents have been receive (PCT Rule 17.2(a)).	on No d in this National Stage					
* See the attached detailed Office action for a list of	of the certified copies not received	d.					
Attachment(s)							
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary (Paper No(s)/Mail Da						
Paper No(s)/Mail Date		atent Application (PTO-152)					

1. This application contains claims directed to the following patentably distinct species of the claimed invention: Species I, claims 1-13, claims an apparatus comprising a heating element; species II, claims 14-20, claims an apparatus comprising an electrostatic element.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none of the claims is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over

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the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid M Fastovsky whose telephone number is 703-306-5482. The examiner can normally be reached on M-Th. 8.00 am -6.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 703-305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Leonid M Fastovsky

Examiner Art Unit 3742

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